

1-1 By: Creighton S.B. No. 1766
1-2 (In the Senate - Filed March 13, 2015; March 24, 2015, read
1-3 first time and referred to Committee on Agriculture, Water, and
1-4 Rural Affairs; April 15, 2015, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Perry</u>	X		
1-9	<u>Zaffirini</u>	X		
1-10	<u>Creighton</u>	X		
1-11	<u>Hall</u>	X		
1-12	<u>Hinojosa</u>	X		
1-13	<u>Kolkhorst</u>	X		
1-14	<u>Rodríguez</u>	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to exemptions from certain regulation for small honey
1-18 production operations.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 437.001, Health and Safety Code, is
1-21 amended by adding Subdivisions (1-a) and (7) to read as follows:

1-22 (1-a) "Beekeeper" has the meaning assigned by Section
1-23 131.001, Agriculture Code.

1-24 (7) "Small honey production operation" means a
1-25 beekeeper that:

1-26 (A) produces less than 2,500 pounds of honey each
1-27 year;

1-28 (B) sells or distributes the honey or honeycomb
1-29 that the beekeeper produces either personally or with the help of
1-30 the beekeeper's immediate family members;

1-31 (C) only sells or distributes honey or honeycomb:

1-32 (i) that is produced from a hive that is:

1-33 (a) located in the state; and

1-34 (b) owned and managed by the
1-35 beekeeper;

1-36 (ii) that is pure honey as defined by
1-37 Section 131.001, Agriculture Code, and that is raw and not blended
1-38 with any other product or otherwise adulterated; and

1-39 (iii) directly to consumers at the
1-40 beekeeper's home, a farmer's market, a farm stand, or a municipal,
1-41 county, or nonprofit fair, festival, or event; and

1-42 (D) delivers the honey or honeycomb that the
1-43 beekeeper produces to the consumer at the point of sale or another
1-44 location designated by the consumer.

1-45 SECTION 2. Chapter 437, Health and Safety Code, is amended
1-46 by adding Sections 437.0197, 437.0198, and 437.0199 to read as
1-47 follows:

1-48 Sec. 437.0197. EXEMPTION FOR SMALL HONEY PRODUCTION
1-49 OPERATION. A small honey production operation is not a food service
1-50 establishment for purposes of this chapter.

1-51 Sec. 437.0198. REGULATION OF SMALL HONEY PRODUCTION
1-52 OPERATION PROHIBITED. A local government authority, including a
1-53 local health department, may not regulate the production of honey
1-54 or honeycomb at a small honey production operation.

1-55 Sec. 437.0199. LABELING REQUIREMENTS FOR SMALL HONEY
1-56 PRODUCTION OPERATION. Honey or honeycomb sold or distributed by a
1-57 small honey production operation must be labeled in accordance with
1-58 Subchapter E, Chapter 131, Agriculture Code. The label must
1-59 include:

1-60 (1) the net weight of the honey expressed in both the
1-61 avoirdupois and metric systems;

